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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION TWO

In re A.C. et al., Persons Coming Under the
Juvenile Court Law.

SAN BERNARDINO COUNTY
CHILDREN AND FAMILY SERVICES,

Plaintiff and Respondent,

v.

S.C. et al.,

Defendants and Appellants.

E067146

(Super.Ct.Nos. J253828, J257046)

OPINION

APPEAL from the Superior Court of San Bernardino County. Erin K. Alexander,
Judge. Affirmed.

Karen J. Dodd, by appointment of the Court of Appeal, for Defendant and
Appellant S.C.

Michelle L. Jarvis, by appointment of the Court of Appeal, for Defendant and
Appellant P.C.

Jean-Rene Basle, County Counsel, and Dawn M. Martin, Deputy County Counsel, for Plaintiff and Respondent.

P.C. (father) and S.C. (mother) (collectively parents) appeal from orders terminating their parental rights to their two daughters, Ad.C. and Am.C. (collectively children).

I

THE PARENTS HAVE NOT SHOWN ICWA ERROR

Both parents claimed possible Cherokee ancestry. In order to comply with the Indian Child Welfare Act (ICWA) (25 U.S.C. § 1901 et. seq.), San Bernardino County Children and Family Services (Department) sent a separate notice for each child to the three federally recognized Cherokee tribes. None of the tribes responded that the children were members or eligible to be members. The juvenile court found that ICWA did not apply.

The original clerk's transcript did not include the ICWA notice regarding Am.C. The parents therefore argued that the trial court had erred, because the Department had failed to file the missing ICWA notice. After the parents filed their opening briefs, however, the Department moved to augment the record with the missing notice. The parents did not oppose the request, and we granted it.

The augmented record demonstrates that the Department did, in fact, file the ICWA notice regarding Am.C. In any event, the Department also filed the ICWA notice regarding Ad.C., and the trial court made a finding — which the parents do not challenge

— that ICWA did not apply to Ad.C. As both children had the same ancestors, this necessarily meant that ICWA also did not apply to Am.C. (*In re J.M.* (2012) 206 Cal.App.4th 375, 383; *In re Z.N.* (2009) 181 Cal.App.4th 282, 298-301; *In re E.W.* (2009) 170 Cal.App.4th 396, 400-402.)

The parents have not filed reply briefs. Thus, they do not contend that the ICWA notices were defective in any way. In sum, then, they have not shown any prejudicial ICWA error.

II

DISPOSITION

The orders appealed from are affirmed.

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RAMIREZ

P. J.

We concur:

CODRINGTON

J.

FIELDS

J.